

3-8-02

PTO/SB/05 (03-01)
Approved for use through 10/31/2002. OMB 0651-0032
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03/06/02

1025 U.S. PTO

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 44375/4:10

First Inventor Dan A. Preston

Title IMPROVED IN-BAND SIGNALING FOR DATA COMMUNICATIONS

Express Mail Label No. EL871858805US

10/09/01

03/06/02

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.

3. ☒ Specification [Total Pages 23]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 14]

5. ☒ Oath or Declaration [Total Pages 10]

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)

i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☐ paper

c. ☐ Statements verifying identity of above copies

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☒ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney

11. ☐ English Translation Document (if applicable)

12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations

13. ☒ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

Prior application information. Examiner Inder Mehra Group Art Unit: 2663

of prior application No. 09, 531,367

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 3528 (insert Customer No. or Attach bar code label here) or ☐ Correspondence address below

Name Micah D. Stolowitz

Address Stoel Rives LLP
900 SW Fifth, Suite 2600

City Portland State Oregon Zip Code 97204

Country U.S.A. Telephone (503) 224-3380 Fax (503) 220-2480

Name (Print/Type) Micah D. Stolowitz Registration No. (Attorney/Agent) 32,758

Signature [Signature] Date 03/06/2002

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Dan A. Preston
Examiner Name	
Group Art Unit	
Attorney Docket No.	44375/4:10

TOTAL AMOUNT OF PAYMENT (\$ 370.00)

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

Deposit
Account
Name

19-4455

Steel Rives LLP

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

- ☒
- Check
- ☐
- Credit card
- ☐
- Money
-
- Order
- ☐
- Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	370
106	330	206	165	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 370.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
11	-20** = 0	9	0
Independent Claims	1	-3** = 0	42
Multiple Dependent			

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ -0-

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Micah D. Stolowitz	Registration No. (Attorney/Agent)	32,758	Telephone	(503) 224-3380
Signature		Date	March 6, 2002		

Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Application No.:

Filed:

Inventors: **Dan A. Preston, Joseph Preston,
Robert Leyendecker, Wayne Eatherly
and Rod L. Proctor**

Title: **IMPROVED IN-BAND SIGNALING FOR
DATA COMMUNICATIONS OVER DIGITAL
WIRELESS TELECOMMUNICATIONS NETWORKS**

Docket No.: 44375/4:10

CERTIFICATE OF EXPRESS MAILING

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label number EL871858805US

Date of Deposit: March 6, 2002

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO
THE COMMISSIONER FOR PATENTS, WASHINGTON, D.C.
20231



Signature

Kitty Sisk

Attachments:

For Divisional Patent Application:

- ☒ Preliminary Amendment
- ☒ Patent Application, including 23 pages of specification and claims
(copied from prior parent patent application)
- ☒ Fourteen sheets of drawings
- ☒ Utility Patent Application Transmittal
- ☒ Combined Declaration and Power of Attorney (two counterparts; copied
from prior parent application)
- ☒ Statement Under 37 CFR 3.73(b) (copied from prior parent application)
- ☒ Power of Attorney by Assignee (copied from prior parent application)
- ☒ Fee Transmittal (in duplicate)
- ☒ Check for \$370.00 in payment of the filing fee
- ☒ Return receipt postcard

Statement Under 37 CFR 3.73(b)

Inventors: Dan A. Preston, Joseph Preston, Robert Leyendecker,
Wayne Eatherly and Rod L. Proctor

Application No.: 09/531,367

Filed: March 21, 2000

Title: IN-BAND SIGNALING FOR DATA COMMUNICATIONS
OVER DIGITAL WIRELESS TELECOMMUNICATIONS NETWORKS

Airbiquity Inc. (formerly, Integrated Data Communications, Inc.), a Washington corporation, states that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventors, of the patent application identified above, to the current assignee as shown below:

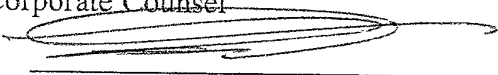
1. From the inventors to Integrated Data Communications, Inc.
The document was recorded in the U.S. Patent and Trademark Office at Reel 011037, Frame 0496.
2. From Integrated Data Communications, Inc. to Airbiquity Inc.
via change of name Conveyance Letter. The document was recorded in the U.S. Patent and Trademark Office at Reel 011575, Frame 0733.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Name: Thomas W. Davis

Title: Corporate Counsel

Signature: 

Date: February 6, 2002

COPY